

## Exhibit “B”

**CRIMINAL COURT CITY OF NEW YORK  
COUNTY OF QUEENS:**

SAT/FTBIII

Q-0803-23

-----x  
**IN THE MATTER OF THE APPLICATION OF  
DETECTIVE DEVIN BAKER SHIELD # 1595  
OF THE 105 PRECINCT  
OF THE NEW YORK CITY POLICE  
DEPARTMENT FOR A SEARCH WARRANT**  
-----x

**SEARCH WARRANT  
AFFIDAVIT**

**TO ANY POLICE OFFICER IN THE STATE OF NEW YORK:**

**I, Detective Devin Baker, Shield # 1595 of the 105 Precinct of the New York City Police Department, being duly sworn, deposes and says:**

1. I am a Detective assigned to the 105<sup>th</sup> Precinct of the New York City Police Department, and as such I am a public servant of the kind specified in C.P.L. §6902.05(1). I have been a Detective in the New York City Police Department for approximately five (5) years. I have been assigned to the 105 Precinct for approximately one (1) year. I have been a Police Officer employed by the NYPD for approximately ten (10) years. During my career as Police Officer for the New York City Police Department I have assisted in the execution of approximately one thousand (1000) search warrants and conducted and assisted in over one thousand (1000) gun related arrests.

2. I have information based upon the following:

I am currently assigned to an investigation regarding alleged criminal possession of a weapon, inside the residence and any/all other structures on the property, **inside of apartment b, inside 67-21 185 Street, County of Queens, more specifically a fully detached, three (3) story, multi-family residential building, made of red colored brick accessible by a brown colored door, which is clearly labeled "67-21 b" in black lettering with a white background, affixed to the top portion of the above-mentioned door, (Hereinafter referred to as "the Subject Location")**.

a) I state that I personally visited the above-mentioned location on September 19, 2023, and confirm the exterior description provided herein.

b) As specified, I am relying upon one confidential informant who is presently registered with the New York City Police Department under **Confidential Informant** (hereinafter referred to as "CI"). [REDACTED]

[REDACTED] CI has been proven to be reliable in the past. CI has provided information to the New York City Police Department which has been the basis of approximately ten (10) positive search warrants since approximately March of 2022, contraband, including firearms and narcotics were recovered based on CI's observations.



- c) I am informed by CI that CI has known Luis Nunez (DOB: 11/29/1988)(NYSID: 15864473P)(Hereinafter referred to as "the Subject") for approximately four (4) years.

[REDACTED]

[REDACTED]

[REDACTED]

- g) I further state that CI's conclusion that the above-mentioned items are firearms, is based upon CI's prior experience and observations of different firearms.

[REDACTED]

- h) I further state that on September 19, 2023, I conducted a DAS (Domain Awareness Search) of the Subject Location, which revealed that the Subject does reside there, and a DAS of the Subject and the Subject Location, revealed negative results for firearm permits.

3. It is my opinion, based upon my experience and training as a police officer, as well as my conversations with the CI, that revealing the identity of the CI would cause danger to the CI's safety and potentially to the CI's family and friends. It is my opinion that the disclosure of certain factual information contained herein, as well as any oral testimony, will likely reveal the informant's identity, and thus, place the CI's life as well as the lives of the CI's family and friends in peril. Therefore, I am requesting that the affidavit submitted in support of this application for a search warrant, as well as any oral testimony given before this Court, remain sealed until further order of this Court, except that copies may be provided to the

Queens County District Attorney's Office, and New York City Police Department, and may be disclosed by the Queens County District Attorney's pursuant to their obligations under CPL Section 245.

4. I am further requesting authority to photograph and/or videotape **the Subject Location** while carrying out the above-described search for evidentiary purposes.
5. I respectfully request the Court's permission to execute this search at any time day or night, without first announcing our purpose and/or our authority. Based upon my experience and training, as well as the facts set forth herein, giving such notice may endanger the life or safety of the officers executing this warrant or another person. Based upon the information set forth herein, including the Subject's criminal history, which includes two (2) convictions for firearm related charges, there are also believed to be firearms inside **the Subject Location**, therefore I believe that the safety of the officers executing the warrant is a concern when executing the warrant.
6. In order to protect the identity of witnesses named above, I am requesting that the affidavit submitted in support of this application for a search warrant, as well as any oral testimony given before this court, remain sealed until further order of this Court, except to the extent that the affidavit and any oral testimony may be disclosed by the District Attorney's Office in the discharge of their obligations under Article 245 of the Criminal Procedure Law.
7. Based upon the foregoing reliable information and upon my personal knowledge, there is reasonable cause to believe, that such property, to wit: **firearms, ammunition, any ballistic evidence, records or other evidence of ownership or use of this location, records or other evidence of ownership or use of firearms** are being unlawfully possessed and which constitute evidence or tend to demonstrate that an offense was committed or that a particular person participated in the commission of an offense in violation of Article 265 of the Penal Law of the State of New York at **the Subject Location**.



**WHEREFORE**, I respectfully request that the court issue a search warrant and order of seizure, in the form annexed, authorizing the search of the **Subject Location** at any time of the day or night, for; **any firearms, ammunition, any ballistic evidence, records or other evidence of ownership or use of this location, records or other evidence of ownership or use of firearms** and directing that if such property or evidence or any part thereof be found that it be seized and brought before this Court without unnecessary delay, together with any other relief that the Court may deem proper.

  
DETECTIVE DEVIN BAKER, SHIELD # 1595

Sworn to before me this  
20 Day of September 2023

SD  
JUDGE: